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Attorneys for Defendant
CELLCO PARTNERSHIP
d/b/a VERIZON WIRELESS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID MONEDERO,

Plaintiff,

v.

CELLCO PARTNERSHIP d.b.a. VERIZON
WIRELESS, and DOE ONE through DOE
FIFTY, inclusive,

Defendants.

CASE NO. CV-08-3291 CW

**STIPULATION AND ORDER
EXTENDING DEADLINE FOR
CONDUCTING EARLY NEUTRAL
EVALUATION CONFERENCE**

The parties hereto, by and through their undersigned counsel, and subject to the approval of the Court, do hereby STIPULATE AND AGREE as follows:

1. WHEREAS, Plaintiff David Monedero ("Plaintiff") and Defendant Cellco Partnership d/b/a Verizon Wireless ("Defendant") are scheduled to attend an Early Neutral Evaluation ("ENE") conference on February 24, 2009 before evaluator Dirk M. Schenkkan;
2. WHEREAS, Plaintiff and Defendant are currently engaged in informal settlement discussions and share a reasonable belief that they will reach a resolution of this matter either prior to or shortly after the scheduled ENE conference;
3. WHEREAS, Plaintiff and Defendant agree that extending the deadline for conducting the ENE conference will allow the parties to focus on settlement during the time that would otherwise be spent preparing for the ENE session, including conducting multiple

depositions;

4. WHEREAS, an extension will reduce the potentially unnecessary expenditure of time and resources by the parties and the evaluator;

5. WHEREAS, the extension sought will not affect the other deadlines in this case set forth in the Court's Case Management Order dated October 23, 2008;

6. IT IS HEREBY STIPULATED by and between Plaintiff and Defendant through their respective counsel of record, subject to the approval of the Court, that the deadline for conducting an ENE conference is extended by thirty (30) days to March 24, 2009.

Dated: February 6, 2009

Jones Day

By: /S/ Catherine S. Nasser
Catherine S. Nasser

Attorneys for Defendant
CELLCO PARTNERSHIP
d/b/a VERIZON WIRELESS

Dated: February 6, 2009


Law Offices of O'Donnell & Smith

By: /S/ James J. O'Donnell
James J. O'Donnell

Attorney for Plaintiff
DAVID MONEDERO

IT IS SO ORDERED.

2/10
Dated: _____, 2009


By: _____
The Honorable Claudia Wilken
United States District Judge

SIGNATURE ATTESTATION

I hereby attest that the content of this document is acceptable to all persons whose signatures are indicated by a “conformed” signature (/S/) within this efiled document.

Dated: February 6, 2009

Jones Day

By: /S/ Catherine S. Nasser
Catherine S. Nasser

Attorneys for Defendant
CELLCO PARTNERSHIP
d/b/a VERIZON WIRELESS